

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

NATIONAL COALITION ON BLACK
CIVIC PARTICIPATION, MARY WINTER,
GENE STEINBERG, NANCY HART,
SARAH WOLFF, KAREN SLAVEN, KATE
KENNEDY, EDA DANIEL, and ANDREA
SFERES,

Plaintiffs,

v.

JACOB WOHL, JACK BURKMAN, J.M.
BURKMAN & ASSOCIATES, LLC,
PROJECT 1599, and JOHN and JANE DOES
1-10,

Defendants.

Civil Action No. 20-cv-8668

DECLARATION OF KATE KENNEDY

KATE KENNEDY declares, pursuant to 28 U.S.C. § 1746, as follows:

1. My name is KATE KENNEDY. I am over 18 years of age and am competent to make this declaration.
2. I have personal knowledge of the matters stated herein and would testify to the same if called as a witness in Court.
3. I am a U.S. citizen and lawfully registered to vote in Cuyahoga County, Ohio, where I live.

4. On August 26, 2020, my wife, Karen Slaven, and I received a robocall on our cordless landline phone. The call went to voicemail. The number that received the robocall is registered with the Do Not Call registry.
5. The voicemail seems to have cut off the beginning of the message, but what was recorded said, "... but did you know that if you vote by mail, your personal information will be part of a public database that will be used by police departments to track down old warrants and be used by credit card companies to collect outstanding debts? The CDC is even pushing to use records for mail-in voting to track people for mandatory vaccines. Don't be finessed into giving your private information to the man, stay home safe and beware of vote by mail."
6. My wife and I live in a racially diverse neighborhood.
7. When I heard the call, my first reaction was, "Not more of this again," and that this call was an attempt to cheat in the election. It made me angry.

8. I knew it was someone trying to scare me into not voting or at least not voting by mail. I knew the statements were false. But it made me angry also because I think voting is important and even if I was not fooled by this call, I am worried that other voters will be scared by it.

I declare under penalty of perjury that the foregoing statements are true and correct. Executed on:

October 13, 2020, in East Cleveland, Ohio, by

Kate Kennedy

KATE KENNEDY